

14  
7/31/00  
JL  
ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DESMOND B. GAIL,  
Plaintiff

CIVIL NO. 1:CV-00-881

v.  
YORK COUNTY PRISON,  
Defendant

Judge Caldwell

PLS. C QUITN

FILED

HARRISBURG, PA

JUL 20 2000

MARY E. D'ANDREA, CLERK  
Per \_\_\_\_\_  
Deputy Clerk

EXHIBITS TO ANSWER OF THE DEFENDANT  
TO THE PLAINTIFF'S MOTION TO COMPEL  
COMPLIANCE WITH AN ADMINISTRATIVE ORDER

Respectfully submitted,

By:

Donald L. Reihart, Esq.  
Sup. Ct. I.D. #07421  
2600 Eastern Boulevard  
Suite 204  
York, PA 17402-2904  
Telephone (717) 755-2799

Assistant County Solicitor

Dated: 7-18-00

**INDEX**

**EXHIBIT A:** note dated April 2000

**EXHIBIT B:** prisoner response

**EXHIBIT C:** note dated May 23, 2000

**EXHIBIT D:** note dated May 25, 2000

**EXHIBIT E:** note dated June 27, 2000

**EXHIBIT F:** activity account

## Account Activity Ledger

From :09/03/1999 To :04/27/2000

Date : 04/27/2000

Time : 10:13

Comment	Trx Date	Time	Batch /Inv #	Trx Type	Invoice	Deposit	Withdrawal	Balance Forward
ID 55438	Name GAYLE, DESMOND			Block MED-4				
Imported Entry	10/27/1999	15:50	B#3652	D		0.00		0.00
	11/22/1999	11:46	B#18089	D		20.00		20.00
copies	11/24/1999	10:17	B#18172	W			-0.50	19.50
Sales Transaction	12/02/1999	12:43	I#4086	I	19.29			0.21
	01/17/2000	10:27	B#19661	D		20.00		20.21
Sales Transaction	01/19/2000	11:26	I#9356	I	20.08			0.13
	02/14/2000	11:40	B#20415	D		20.00		20.13
Sales Transaction	02/15/2000	13:35	I#12222	I	19.81			0.32
	03/06/2000	12:16	B#21048	D		50.00		50.32
Sales Transaction	03/07/2000	13:51	I#14471	I	49.05			1.27
	03/17/2000	08:25	B#21392	D		50.00		51.27
Sales Transaction	03/21/2000	13:58	I#16190	I	51.18			0.09
				Deposits	6 For \$ 160.00			
				Withdraws	1 For \$ -0.50			
				Invoices	5 For \$ 159.41			

5/2/00

Desmond:

You owe \$150 to the Court. Whenever you receive a deposit, don't spend all of your money! I must deduct 20% of every deposit to send to the Court. Around the third week of every month I will check your account and send the Court their money. Divide any deposit you get by 5 and then don't spend the  $\frac{1}{5}$ . For example  $\$50 \div 5 = \$10$

If you spend all of your money I will freeze your account until the money is paid.

Roy S Thomas

Date : 04/27/2000

Time : 10:13

**Account Activity Ledger**  
From :09/03/1999 To :04/27/2000

Comment	Trx Date	Time	Batch /Inv #	Trx Type	Invoice	Deposit	Withdrawal	Balance Forward
ID 55438	Name GAYLE, DESMOND			Block MED-4				
Imported Entry	10/27/1999	15:50	B#3652	D		0.00		0.00
	11/22/1999	11:46	B#18089	D		20.00		20.00
copies	11/24/1999	10:17	B#18172	W			-0.50	19.50
Sales Transaction	12/02/1999	12:43	I#4086	I	19.29			0.21
	01/17/2000	10:27	B#19661	D		20.00		20.21
Sales Transaction	01/19/2000	11:26	I#9356	I	20.08			0.13
	02/14/2000	11:40	B#20415	D		20.00		20.13
Sales Transaction	02/15/2000	13:35	I#12222	I	19.81			0.32
	03/06/2000	12:16	B#21048	D		50.00		50.32
Sales Transaction	03/07/2000	13:51	I#14471	I	49.05			1.27
	03/17/2000	08:25	B#21392	D		50.00		51.27
Sales Transaction	03/21/2000	13:58	I#16190	I	51.18			0.09

Deposits 6 For \$ 160.00  
 Withdraws 1 For \$ -0.50  
 Invoices 5 For \$ 159.41

*S. R. Gayle*

**This statement is InCORRECT Sir!**

Desmond:

You owe \$150 to the Court. Whenever you receive a deposit, don't spend all of your money! I must deduct 20% of every deposit to send to the Court. Around the third week of every month I will check your account and send the Court their money. Divide any deposit you get by 5 and then don't spend the  $\frac{1}{5}$ . For example  $\$50 \div 5 = \$10$

*If you spend all of your money I will freeze your account until the money is paid.*

*Roy S. Thomas*

~~Superintendent/Warden;  
Read Carefully And Understand the Underline  
Sentence in Brackets, Please Sir I am Asking you~~  
owing the Court, the Superintendent/Warden in any institution where the inmate is incarcerated is required by law to set aside and remit on a monthly basis 20 percent of the preceding month's deposits credited to the prisoner's account until the filing fee has been paid in full. Each time a deposit is made to the inmate's account, the Superintendent/Warden shall set aside the deposit immediately before any disbursement is made by the inmate, until an amount equal to 20 percent of the previous month's deposits is obtained. When the 20 percent amount is obtained, it shall be transmitted in one monthly payment to the Clerk. Each payment shall be clearly identified by the name of the prisoner and the number assigned to this action.

Payments must be made payable to "Clerk, U.S. District Court" and transmitted to:

U.S. District Court  
P.O. Box 1148  
Scranton, PA 18501-1148

In the event the plaintiff is transferred to a different correctional facility before the full filing fee is paid, you must forward this Administrative Order to the Superintendent/Warden of the receiving institution. This Order will be binding on the Superintendent/Warden of any correctional facility where the prisoner is incarcerated until the filing fee is paid in full. Sir Please understand this!

I AM ENTITLED TO SPEND ALL OF  
MY MONEY, ACCORDING TO WHAT  
THE CLERK OF THE COURT SAID!

MARY E. D'ANDREA  
Clerk of Court

By Mary E. D'Andrea  
Deputy Clerk

DATE: March 30, 2000

J. Gayle / April 1<sup>st</sup>/00  
8:00 AM

Date : 05/23/2000

Time : 14:12

## Account Activity Ledger

From : 09/03/1999 To : 05/23/2000

Comment	Trx Date	Time	Batch /Inv #	Trx Type	Invoice	Deposit	Withdrawal	Balance Forward
ID 55438	Name GAYLE, DESMOND			Block ND-14B				
Imported Entry	10/27/1999	15:50	B#3652	D		0.00		0.00
	11/22/1999	11:46	B#18089	D		20.00		20.00
copies	11/24/1999	10:17	B#18172	W			-0.50	19.50
Sales Transaction	12/02/1999	12:43	I#4086	I	19.29			0.21
	01/17/2000	10:27	B#19661	D		20.00		20.21
Sales Transaction	01/19/2000	11:26	I#9356	I	20.08			0.13
	02/14/2000	11:40	B#20415	D		20.00		20.13
Sales Transaction	02/15/2000	13:35	I#12222	I	19.81			0.32
	03/06/2000	12:16	B#21048	D		50.00		50.32
Sales Transaction	03/07/2000	13:51	I#14471	I	49.05			1.27
	03/17/2000	08:25	B#21392	D		50.00		51.27
Sales Transaction	03/21/2000	13:58	I#16190	I	51.18			0.09
	05/15/2000	10:47	B#23093	D		100.00		100.09
copies/pike	05/15/2000	14:26	B#23103	W			-0.50	99.59
Sales Transaction	05/16/2000	12:53	I#22423	I	76.75			22.84
gym shorts out of st	05/17/2000	13:47	B#23183	D		8.50		31.34
Sales Transaction	05/23/2000	13:00	I#23231	I	24.96			6.38

Deposits	8	For	\$ 268.50
Withdraws	2	For	\$ -1.00
Invoices	7	For	\$ 261.12

5/23/00 - Inmate received \$100 on 5/15/00 and spent most of it. Account frozen until he pays \$20. Owe \$20  
 5/25/00 - Second CIVIL ACTION

6/27/00 - received \$50. Owe \$20 for previous deposit plus \$10 for \$50 deposit  
 $(50 \times 20\%) = \$10$  Total of \$30 to be sent to Court.  
 account unfrozen

5/25/00

Desmond:

You now have 2 of these CV 1:00-cv-00881

and CV 1:00-cv-00553

You owe a total of \$300 to the U.S. District Court.

You received a \$100 deposit on 5/15/00 and quickly spent all but \$6. I had previously informed you that you were not to spend all of your money. You chose to do so. Your account is frozen until all the monies owed to the U.S. District Court are paid.

$$\begin{array}{r} \$100 \\ \times 20\% \\ \hline \end{array}$$

\$20.00 - amount owed  
plus 20% of any future deposits

Roger Thomas

Date : 06/27/2000

Time : 13:36

## Account Activity Ledger

From : 09/03/1999 To : 06/27/2000

Comment	Trx Date	Time	Batch /Inv #	Trx Type	Invoice	Deposit	Withdrawal	Balance Forward
ID 55438	Name GAYLE, DESMOND			Block NSC-3B				
Imported Entry	10/27/1999	15:50	B#3652	D		0.00		0.00
	11/22/1999	11:46	B#18089	D		20.00		20.00
copies	11/24/1999	10:17	B#18172	W			-0.50	19.50
Sales Transaction	12/02/1999	12:43	I#4086	I	19.29			0.21
	01/17/2000	10:27	B#19661	D		20.00		20.21
Sales Transaction	01/19/2000	11:26	I#9356	I	20.08			0.13
	02/14/2000	11:40	B#20415	D		20.00		20.13
Sales Transaction	02/15/2000	13:35	I#12222	I	19.81			0.32
	03/06/2000	12:16	B#21048	D		50.00		50.32
Sales Transaction	03/07/2000	13:51	I#14471	I	49.05			1.27
	03/17/2000	08:25	B#21392	D		50.00		51.27
Sales Transaction	03/21/2000	13:58	I#16190	I	51.18			0.09
	05/15/2000	10:47	B#23093	D		100.00		100.09
copies/pike	05/15/2000	14:26	B#23103	W			-0.50	99.59
Sales Transaction	05/16/2000	12:53	I#22423	I	76.75			22.84
gym shorts out of st	05/17/2000	13:47	B#23183	D		8.50		31.34
Sales Transaction	05/23/2000	13:00	I#23231	I	24.96			6.38
	05/31/2000	08:57	B#23548	D		50.00		56.38
				Deposits	9 For \$ 318.50			
				Withdraws	2 For \$ -1.00			
				Invoices	7 For \$ 261.12			
							100 50 150	
							X 20 %	

6/27/00

Desmond Gayle:  
 You owe \$300 to the U.S. District Court.  
 \$30 is being sent. You owe \$270 more.  
 Your account is being unfrozen. From now on  
 do not spend all of your money. 20% of all deposits  
 are to be sent to Court. You may notify me when  
 you get a deposit and I will help you.

JUL-14-2000 10:34

YORK COUNTY PRISON

717 840 7204 P.02/02

## Account Activity Ledger

Time : 10:20

From : 09/03/1999 To : 07/14/2000

Comment	Trx Date	Time	Batch /Inv #	Trx Type	Invoice	Deposit	Withdrawal	Balance Forward
ID 55438	Name GAYLE, DESMOND			Block NSC-3B				
Imported Entry	10/27/1999	15:50	B#3652	D		0.00		0.00
	11/22/1999	11:46	B#18089	D		20.00		20.00
copies	11/24/1999	10:17	B#18172	W			-0.50	19.50
Sales Transaction	12/02/1999	12:43	I#4086	I	19.29			0.21
	01/17/2000	10:27	B#19661	D		20.00		20.21
Sales Transaction	01/19/2000	11:26	I#9356	I	20.08			0.13
	02/14/2000	11:40	B#20415	D		20.00		20.13
Sales Transaction	02/15/2000	13:35	I#12222	I	19.81			0.32
	03/06/2000	12:16	B#21048	D		50.00		50.32
Sales Transaction	03/07/2000	13:51	I#14471	I	49.05			1.27
	03/17/2000	08:25	B#21392	D		50.00		51.27
Sales Transaction	03/21/2000	13:58	I#16190	I	51.18			0.09
	05/15/2000	10:47	B#23093	D		100.00		100.09
copies/pike	05/15/2000	14:26	B#23103	W			-0.50	99.59
Sales Transaction	05/16/2000	12:53	I#22423	I	76.75			22.84
gym shorts out of st	05/17/2000	13:47	B#23183	D		8.50		31.34
Sales Transaction	05/23/2000	13:00	I#23231	I	24.96			6.38
	05/31/2000	08:57	B#23548	D		50.00		56.38
check #13723 to US D	06/30/2000	13:18	B#24442	W			-30.00	26.38
Sales Transaction	07/05/2000	12:56	I#28058	I	25.97			0.41
Sales Transaction	07/12/2000	13:04	I#29593	I	0.33			0.08

Deposits 9 For \$ 318.50

Withdraws 3 For \$ -31.00

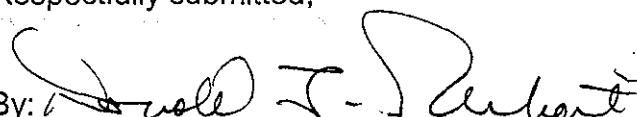
Invoices 9 For \$ 287.42

**CERTIFICATE OF SERVICE**

I, Donald L. Reihart, Esquire, certify that a true and correct copy of Exhibits to  
Answer of Defendant to Plaintiff's Motion to Compel Compliance With Administrative  
Order was caused to be served on the date shown below by depositing same in the  
United States mail, first-class, postage prepaid thereon, addressed as follows:

Desmond B. Gail  
York County Prison  
3400 Concord Road  
York, PA 17402

Respectfully submitted,

By: 

Donald L. Reihart, Esquire  
Sup.Ct. I.D. #07421  
2600 Eastern Boulevard  
Suite 204  
York, PA 17402  
Telephone (717) 755-2799

Attorney for Plaintiff

Dated: 7-18-00